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10/712,061	11/14/2003	Yoshikazu Shibamiya	03560.003392	9059
5514 7590 04/24/2007 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER DASGUPTA, SOUMYA	
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SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/712,061

Applicant(s)

SHIBAMIYA ET AL.

Examiner

Soumya (Ronnie) Dasgupta

Art Unit

2109

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 6/29/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

1. This is the initial office action based on 10/712,061 application filed on 11/14/2003. Claims 1-17, as originally filed, are currently pending and have been considered below. Claims 1, 4-9, and 13 are independent claims.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4 and 7-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Golden Eye: 007 (<http://gamefreaks365.com/review.php?artid=38>; hereafter Eye').

#### Claim 1:

- Eye' teaches a display apparatus operated by a remote control apparatus including a first remote control device and a second remote control device that can be switched between a combined state and a separated state (1<sup>st</sup> paragraph).
  - The examiner interprets a "combined state" to be either controller operating on one display and a "separate state" to be each controller operating on different displays on the same display apparatus. The combined and separated states can be determined by selecting the number of players on the pre-game menu. The combined state would be a one-player selection and a separate state would multiplayer (2-4 player) selection.
- Eye' teaches a said display apparatus comprising: a display unit; and a communication portion to communicate with the first and the second remote control devices.
  - The examiner notes that the applicant discloses a communication portion that will determine the separate and combined state and that will communicate with the first and second remote control devices.
  - The examiner makes an **official notice** that the signal for discriminating between a combined state (single-player) and

separate state (multi-player) is conducted at the pre-game menu when the quantity of player selection is being made. The examiner makes an official notice that the quantity of players being selected is a signal output from the remote control. Hence, one controller can “communicate” with the other controller via game console by activating or deactivating the other controller on the pre-game menu screen.

- The examiner makes an **official notice** that controller is programmed to “rumble” or vibrate when a player is killed. Hence when one player kills another on the screen, then the deceased player’s character that is controlled by their respective controller vibrates, thus “communicating.”
- Eye’ teaches wherein (the part of the claim mentioned above) a number of display picture frames displayed on said display unit is changed in accordance as the first remote control device and the second remote control device are combined with, or are separated from, each other.
  - The examiner notes that the game is played on a system that is visualized on a display unit (i.e. television). The examiner also notes that the game is played on a multiplayer split screen system. In a combined state or a single player state, one remote is used to play on one screen. In a separate state or a multiplayer state, the screen can be split into four windows – where the number of windows on the screen corresponds to the number of players playing on a separate remote (1<sup>st</sup> paragraph).

#### Claim 2:

- Eye’ teaches a display apparatus wherein control for increasing the number of display picture frames is performed in response to separation of the first remote control device and the second remote control device from each other (1<sup>st</sup> paragraph).
  - The examiner interprets a “combined state” to be either controller operating on one display and a “separate state” to be each controller operating on different displays on the same display apparatus.
  - The examiner notes that increasing the number of players on multiplayer state (separate state) would increase the number of windows on screen, where each window is controlled by separate remote controls. The combined state would be a one-player selection and a separate state would multiplayer (2-4 player) selection.

Claim 3:

- Eye' teaches a display apparatus wherein control for reducing the number of display picture frames is performed in response to combination of the first remote control device and the second remote control device with each other (1<sup>st</sup> paragraph).
  - The examiner interprets a "combined state" to be either controller operating on one display and a "separate state" to be each controller operating on different displays on the same display apparatus.
  - The examiner notes that reducing the number of players on multi-player state (separate state) would decrease the number of windows on screen, where each window is controlled by separate remote controls down to a minimum of two windows. Reducing two windows further to a single window with give a single-player state (or combined state), where one controller only controls the single window on the screen.

Claim 4:

- Eye' teaches a display apparatus operated by a remote control apparatus including a first remote control device and a second remote control device that can be switched between a combined state and a separated state (1<sup>st</sup> paragraph).
  - The examiner interprets a "combined state" to be either controller operating on one display and a "separate state" to be each controller operating on different displays on the same display apparatus.
  - The examiner notes that the game is played on a system that is visualized on a display unit (i.e. television). The examiner also notes that the game is played on a multiplayer split screen system. In a combined state or a single player state, one remote is used to play on one screen. In a separate state or a multiplayer state, the screen can be split into four windows – where the number of windows on the screen corresponds to the number of players playing on a separate remote (1<sup>st</sup> paragraph).

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- Eye's teaches the said display apparatus comprising: a display unit; and a communication portion, to communicate with the first and the second remote control devices.
  - The examiner notes that the applicant discloses a communication portion that will determine the separate and combined state and that will communicate with the first and second remote control devices.
  - The examiner makes an **official notice** that the signal for discriminating between a combined state (single-player) and separate state (multi-player) is conducted at the pre-game menu when the quantity of player selection is being made. The examiner makes an official notice that the quantity of players being selected is a signal output from the remote control. Hence, one controller can "communicate" with the other controller via game console by activating or deactivating the other controller on the pre-game menu screen.
  - The examiner makes an **official notice** that controller is programmed to "rumble" or vibrate when a player is killed. Hence when one player kills another on the screen, then the deceased player's character that is controlled by their respective controller vibrates, thus "communicating."
- Eye's teaches wherein (the part of the claim mentioned above) each of different picture frames displayed on said display unit is controlled in accordance with operations of a corresponding one of the first remote control device and the second remote control device.
  - The examiner notes that in a multi-player setting, each remote control controls their corresponding screen (1<sup>st</sup> paragraph).

Claim 7:

- Eye' teaches a remote control apparatus for controlling a display apparatus, comprising: a first remote control device; and a second remote control device, wherein the first remote control device and the second remote control device can be switched between a state in which these devices are combined and a state in which these devices are separated.
  - The examiner interprets a "combined state" to be either controller operating on one display and a "separate state" to be each

- controller operating on different displays on the same display apparatus. The combined and separated states can be determined by selecting the number of players on the pre-game menu. The combined state would be a one-player selection and a separate state would multiplayer (2-4 player) selection.
- Eye' teaches a picture frame newly displayed on the display apparatus in response to the first remote control device and the second remote control device being switched from the combined state to the separated state is controlled by one of the first remote control device and the second remote control device.
    - The examiner notes that the game is played on a system that is visualized on a display unit (i.e. television). The examiner also notes that the game is played on a multiplayer split screen system. In a combined state or a single player state, one remote is used to play on one screen. In a separate state or a multiplayer state, the screen can be split into four windows – where the number of windows on the screen corresponds to the number of players playing on a separate remote (1<sup>st</sup> paragraph).

Claim 8:

- Eye' teaches a remote control apparatus for controlling a display apparatus, comprising: a first remote control device; and a second remote control device, wherein the first remote control device and the second remote control device can be switched between a state in which these devices are combined and a state in which these devices are separated.
  - The examiner interprets a “combined state” to be either controller operating on one display and a “separate state” to be each controller operating on different displays on the same display apparatus. The combined and separated states can be determined by selecting the number of players on the pre-game menu. The combined state would be a one-player selection and a separate state would multiplayer (2-4 player) selection.
- Eye' teaches that the first remote control device and the second remote control device are switched from the separated state to the combined state when one of the remote control devices generates a signal for stopping display of a picture frame display of which had been under control of one or the other of the first display device and the second display device.
  - The examiner makes an **official notice** that when the “pause button” is pressed on a multiplayer state (separated state), the window of the controller is at a state of momentary inactivity, then

the game is resumed with one player with their corresponding controller (combined state).

Claim 9:

- Eye' teaches a remote control apparatus for controlling a display apparatus, comprising: a first remote control device; and a second remote control device, wherein the first remote control device and the second remote control device can be switched between a state in which these devices are combined and a state in which these devices are separated,
  - The examiner interprets a "combined state" to be either controller operating on one display and a "separate state" to be each controller operating on different displays on the same display apparatus. The combined and separated states can be determined by selecting the number of players on the pre-game menu. The combined state would be a one-player selection and a separate state would multiplayer (2-4 player) selection.
- Eye' teaches that the first remote control device controls a first picture frame from among a plurality of picture frames displayed on the display apparatus and the second remote control device controls another picture frame from among the plurality of picture frames.
  - The examiner notes that during a "combined state," the first remote controls the single window or the "first screen." The examiner makes an **official notice** that during the "separate state," the first remote controls one screen or the first screen, and the plurality of remote controls the other plurality of screens.

Claim 10:

- Eye' teaches a remote control apparatus wherein a signal for discriminating between the state in which the first remote control device and the second remote control device are combined.
  - The examiner makes an **official notice** that the signal for discriminating between a combined state (single-player) and separate state (multi-player) is conducted at the pre-game menu when the quantity of player selection is being made.
- Eye' teaches the state in which the first remote control device and the second remote control device are separated, is output by one or the other of the remote control devices.
  - The examiner makes an official notice that the quantity of players being selected is a signal output from the remote control.



Claim 11:

- Eye' teaches a remote control apparatus wherein a signal for discriminating between the state in which the first remote control device and the second remote control device are combined.
  - The examiner makes an **official notice** that the signal for discriminating between a combined state (single-player) and separate state (multi-player) is conducted at the pre-game menu when the quantity of player selection is being made.
- Eye' teaches the state in which the first remote control device and the second remote control device are separated, is output by one or the other of the remote control devices.
  - The examiner makes an official notice that the quantity of players being selected is a signal output from the remote control.

Claim 12:

- Eye' teaches a remote control apparatus wherein a signal for discriminating between the state in which the first remote control device and the second remote control device are combined.
  - The examiner makes an **official notice** that the signal for discriminating between a combined state (single-player) and separate state (multi-player) is conducted at the pre-game menu when the quantity of player selection is being made.
- Eye' teaches the state in which the first remote control device and the second remote control device are separated, is output by one or the other of the remote control devices.
  - The examiner makes an official notice that the quantity of players being selected is a signal output from the remote control.

Claim13:

- Eye' teaches a remote control apparatus for controlling a predetermined apparatus, comprising: a first remote control device; a second remote control device, wherein the first remote control device and the second remote control device can be switched between a state in which these devices are combined and a state in which these devices are separated.

- The examiner interprets a “combined state” to be either controller operating on one display and a “separate state” to be each controller operating on different displays on the same display apparatus. The combined and separated states can be determined by selecting the number of players on the pre-game menu. The combined state would be a one-player selection and a separate state would multiplayer (2-4 player) selection.
- Eye’ teaches a transmission circuit for outputting a signal for discriminating between the state in which the first remote control device and the second remote control device are combined and the state in which the first remote control device and the second remote control device are separated.
  - The examiner makes an **official notice** that the signal for discriminating between a combined state (single-player) and separate state (multi-player) is conducted at the pre-game menu when the quantity of player selection is being made. The examiner makes an official notice that the quantity of players being selected is a signal output from the remote control.
  - The examiner interprets a transmission circuit as any circuit, code, or path that channels information from a source to a destination. Since the user inputs the amount of players in order to determine the amount of windows on the screen. The information to do the task originates from the remote to the CPU unit.
- With respect to claim 1-4 and 7-13, the examiner notes that Wikipedia is provided to further the invention as taught by Eye’. Wikipedia illustrates an example of a single window system (pg 3: bottom-left of the page) and split screen multi-player system (pg 8: top-right of the page). ([http://en.wikipedia.org/wiki/GoldenEye\\_007](http://en.wikipedia.org/wiki/GoldenEye_007))

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 5-6 and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strubbe et al (US 4959719; hereafter Strubbe) in view of Boulding ("The Xbox Live FAQ" – description of Xbox live headset for remote – hereafter Bould').

Claim 5:

- Strubbe discloses a display apparatus controlled by operating a remote control device, comprising: a display unit where a plurality of display picture frames are displayed (abstract). The examiner notes that Strubbe defines "a television system with picture-in-picture capability" as a display apparatus... where a plurality of picture frames are displayed; and "a common control element" (abstract) is defined to be a remote control device. Strubbe also cites a "control means... [which is] connected to audio/video control circuitry for supplying signals thereto which, as will be explained, could be used to control which picture is displayed in the main display and which is displayed in the picture-in-picture display" (col 3, lines 1-10). Hence, the control element presented controls both the audio and video of the selected plurality of displays.
- Strubbe does not appear to explicitly disclose a transmission circuit for transmitting to the remote control device a voice signal.
- Bould' also discloses a transmission circuit for transmitting to the remote control device a voice signal corresponding to a predetermined one of the picture frames controlled by operations of the remote control device from among the plurality of picture frames. Bould' states that "the Voice Communicator will be the only mean of communicating, chatting and getting your point across while gaming online. The Communicator includes an adapter that plugs into the top slot, and only the top slot, of the Xbox controller and comes with volume control and a mute button. The headset features one headphone/microphone unit on one ear and a headband to

hold it in place. It can be worn on either ear and the audio quality is comparable to what you might hear over a digital mobile phone. The mute function cuts off your voice, but you can also turn off the voices of other players using an in-game menu" (pg 5, 2<sup>nd</sup> paragraph under subsection labeled "Voice"). The examiner notes that the headset plugs into the Xbox remote control, which receives a signal from the main Xbox video game console.

- Strubbe and Bould' are both analogous art because they both teach audio/video controllers that incorporates a visual display.
- At they time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Strubbe and Bould before him or her, to modify the remote control for picture-in-picture as taught by Strubbe to include an audio transmission to the remote control as taught by Bould' to allow audio transmission to a remote controller from a designated screen from a plurality of screens.
- The motivation for doing so would have been to allow an user to listen to the audio from a remote control from a selected picture that would not provide audio interference with the another user listening to the audio signals from another display within the same visual display apparatus.
- Therefore, it would have been obvious to combine Strubbe with Bould' to obtain the invention as specified in the instant claim.

#### Claim 6:

- Strubbe discloses a display apparatus controlled by operation of a remote control device, comprising: a display unit for forming one or more display picture frames; a control circuit for performing control so as to form the one or more display picture frames on said display unit; a circuit for receiving a signal for controlling a predetermined picture frame from among the plurality of display picture frames, from the remote control device (abstract). The examiner notes that a "television system with picture-in-picture capability in which a common control element can be used to control both the main picture and the picture-in-picture on the screen together" (abstract) portrays a display unit with a plurality of displays windows that can be controlled by a remote control. It is inherent that a remote control has a circuit that receives and transmits signals from one of the plural selected display windows. The "common control element" is a remote control.

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- Strubbe does not appear to explicitly disclose a circuit for transmitting a voice signal corresponding to the predetermined picture frame to the remote control device.
- Bould' also discloses a circuit for transmitting a voice signal corresponding to the predetermined picture frame to the remote control device. Bould' states that "the Voice Communicator will be the only mean of communicating, chatting and getting your point across while gaming online. The Communicator includes an adapter that plugs into the top slot, and only the top slot, of the Xbox controller and comes with volume control and a mute button. The headset features one headphone/microphone unit on one ear and a headband to hold it in place. It can be worn on either ear and the audio quality is comparable to what you might hear over a digital mobile phone. The mute function cuts off your voice, but you can also turn off the voices of other players using an in-game menu" (pg 5, 2<sup>nd</sup> paragraph under subsection labeled "Voice"). The examiner notes that the headset plugs into the Xbox remote control, which receives a signal from the main Xbox video game console.
- Strubbe and Bould' are both analogous art because they both teach audio/video controllers that incorporates a visual display.
- At they time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Strubbe and Bould before him or her, to modify the remote control for picture-in-picture as taught by Strubbe to include an audio transmission to the remote control as taught by Bould' to allow audio transmission to a remote controller from a designated screen from a plurality of screens.
- The motivation for doing so would have been to allow an user to listen to the audio from a remote control from a selected picture that would not provide audio interference with the another user listening to the audio signals from another display within the same visual display apparatus.
- Therefore, it would have been obvious to combine Strubbe with Bould' to obtain the invention as specified in the instant claim.

4. Claims 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Golden Eye: 007 (<http://gamefreaks365.com/review.php?artid=38>; hereafter Eye') in view of Boulding ("The Xbox Live FAQ" – description of Xbox live headset for remote – hereafter Bould').

Claim 14:

- Eye' discloses the invention as stated above in claim 7.
- Eye' does not appear to explicitly disclose a remote control apparatus wherein at least one of the first remote control circuit and the second remote control circuit includes a circuit for receiving a voice signal.
- Bould' teaches a remote control apparatus wherein at least one of the first remote control circuit and the second remote control circuit includes a circuit for receiving a voice signal (pg 5, 2<sup>nd</sup> paragraph under subsection labeled "Voice"). Bould' states that "the Voice Communicator will be the only mean of communicating, chatting and getting your point across while gaming online. The Communicator includes an adapter that plugs into the top slot, and only the top slot, of the Xbox controller and comes with volume control and a mute button. The headset features one headphone/microphone unit on one ear and a headband to hold it in place. It can be worn on either ear and the audio quality is comparable to what you might hear over a digital mobile phone. The mute function cuts off your voice, but you can also turn off the voices of other players using an in-game menu" (pg 5, 2<sup>nd</sup> paragraph under subsection labeled "Voice"). The examiner notes that the headset plugs into the Xbox remote control, which receives a signal from the main Xbox video game console.
- Eye' and Bould' are both analogous art because they both teach audio/video controllers that incorporates a visual display.
- At they time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Eye' and Bould' before him or her, to modify the remote control for split-screen gaming as taught by Eye' to include an audio transmission to the remote control as taught by Bould' to allow audio transmission to a remote controller to be incorporated in a multi-window video activity.
- The motivation for doing so would have been to allow an user to listen to the audio from a remote control from a selected picture that would not provide audio interference with the another user listening to the audio signals from another display within the same visual display apparatus.

Claim 15:

- Eye' discloses the invention as stated above in claim 8.
- Eye' does not appear to explicitly disclose a remote control apparatus wherein at least one of the first remote control circuit and the second remote control circuit includes a circuit for receiving a voice signal.
- Bould' teaches a remote control apparatus wherein at least one of the first remote control circuit and the second remote control circuit includes a

circuit for receiving a voice signal (pg 5, 2<sup>nd</sup> paragraph under subsection labeled "Voice"). Bould' states that "the Voice Communicator will be the only mean of communicating, chatting and getting your point across while gaming online. The Communicator includes an adapter that plugs into the top slot, and only the top slot, of the Xbox controller and comes with volume control and a mute button. The headset features one headphone/microphone unit on one ear and a headband to hold it in place. It can be worn on either ear and the audio quality is comparable to what you might hear over a digital mobile phone. The mute function cuts off your voice, but you can also turn off the voices of other players using an in-game menu" (pg 5, 2<sup>nd</sup> paragraph under subsection labeled "Voice"). The examiner notes that the headset plugs into the Xbox remote control, which receives a signal from the main Xbox video game console.

- Eye' and Bould' are both analogous art because they both teach audio/video controllers that incorporates a visual display.
- At they time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Eye' and Bould' before him or her, to modify the remote control for split-screen gaming as taught by Eye' to include an audio transmission to the remote control as taught by Bould' to allow audio transmission to a remote controller to be incorporated in a multi-window video activity.
- The motivation for doing so would have been to allow an user to listen to the audio from a remote control from a selected picture that would not provide audio interference with the another user listening to the audio signals from another display within the same visual display apparatus.

Claim 16:

- Eye' discloses the invention as stated above in claim 9.
- Eye' does not appear to explicitly disclose a remote control apparatus wherein at least one of the first remote control circuit and the second remote control circuit includes a circuit for receiving a voice signal.
- Bould' teaches a remote control apparatus wherein at least one of the first remote control circuit and the second remote control circuit includes a circuit for receiving a voice signal (pg 5, 2<sup>nd</sup> paragraph under subsection labeled "Voice"). Bould' states that "the Voice Communicator will be the only mean of communicating, chatting and getting your point across while gaming online. The Communicator includes an adapter that plugs into the top slot, and only the top slot, of the Xbox controller and comes with volume control and a mute button. The headset features one headphone/microphone unit on one ear and a headband to hold it in

place. It can be worn on either ear and the audio quality is comparable to what you might hear over a digital mobile phone. The mute function cuts off your voice, but you can also turn off the voices of other players using an in-game menu" (pg 5, 2<sup>nd</sup> paragraph under subsection labeled "Voice"). The examiner notes that the headset plugs into the Xbox remote control, which receives a signal from the main Xbox video game console.

- Eye' and Bould' are both analogous art because they both teach audio/video controllers that incorporates a visual display.
- At they time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Eye' and Bould' before him or her, to modify the remote control for split-screen gaming as taught by Eye' to include an audio transmission to the remote control as taught by Bould' to allow audio transmission to a remote controller to be incorporated in a multi-window video activity.
- The motivation for doing so would have been to allow an user to listen to the audio from a remote control from a selected picture that would not provide audio interference with the another user listening to the audio signals from another display within the same visual display apparatus.

Claim 17:

- Eye' discloses the invention as stated above in claim 13.
- Eye' does not appear to explicitly disclose a remote control apparatus wherein at least one of the first remote control circuit and the second remote control circuit includes a circuit for receiving a voice signal.
- Bould' teaches a remote control apparatus wherein at least one of the first remote control circuit and the second remote control circuit includes a circuit for receiving a voice signal (pg 5, 2<sup>nd</sup> paragraph under subsection labeled "Voice"). Bould' states that "the Voice Communicator will be the only mean of communicating, chatting and getting your point across while gaming online. The Communicator includes an adapter that plugs into the top slot, and only the top slot, of the Xbox controller and comes with volume control and a mute button. The headset features one headphone/microphone unit on one ear and a headband to hold it in place. It can be worn on either ear and the audio quality is comparable to what you might hear over a digital mobile phone. The mute function cuts off your voice, but you can also turn off the voices of other players using an in-game menu" (pg 5, 2<sup>nd</sup> paragraph under subsection labeled "Voice"). The examiner notes that the headset plugs into the Xbox remote control, which receives a signal from the main Xbox video game console.



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- Eye' and Bould' are both analogous art because they both teach audio/video controllers that incorporates a visual display.
- At they time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Eye' and Bould' before him or her, to modify the remote control for split-screen gaming as taught by Eye' to include an audio transmission to the remote control as taught by Bould' to allow audio transmission to a remote controller to be incorporated in a multi-window video activity.
- The motivation for doing so would have been to allow an user to listen to the audio from a remote control from a selected picture that would not provide audio interference with the another user listening to the audio signals from another display within the same visual display apparatus.

### ***Conclusion***

Supplemental notes include the following references:

- US 5715020
- US 6489986 B1 – remote control with microphone to receive audio from user and transmit them to the TV. Allen discloses a transmission circuit for transmitting to the remote control device a voice signal (col 5, lines 8-14; col 5, lines 21-25).
- US 6359661
- US 20060159507 A1
- US 20050005288 A1
- US 20040262464 A1
- US 7111320 B1
- US 7044619 B2

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Soumya (Ronnie) Dasgupta whose telephone


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number is 571-270-7432. The examiner can normally be reached on Monday through Friday 7:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Del Sole can be reached on 571-272-1130. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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SUPERVISORY PATENT EXAMINER  
4/14/07